

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

GEMALTO S.A.,	§	
	§	
Plaintiff,	§	
v.	§	Civil Action No. 6:10-CV-561-LED
	§	
HTC CORPORATION, HTC AMERICA,	§	JURY TRIAL DEMANDED
INC., EXEDEA, INC., SAMSUNG	§	
ELECTRONICS CO., LTD., SAMSUNG	§	
TELECOMMUNICATIONS AMERICA	§	
LLC, MOTOROLA MOBILITY LLC, and	§	
GOOGLE INC.,	§	
	§	
Defendants.	§	

**AGREED MOTION TO RELIEVE PARTIES OF UPCOMING DEADLINES**

Whereas Defendants' deadline to oppose Plaintiff's Cross-Motion for Summary Judgment (Dkt. 404) is February 28, 2013, and in light of the Court's February 25, 2013 Report and Recommendations Granting Defendants' Motion for Summary Judgment of Non-Infringement (Dkt. 433) and the Court's February 25, 2013 Notice that the Pretrial Conference set for February 26, 2013 was cancelled (Dkt. 434), Defendants request that the Court relieve the parties of all current docket control order deadlines in this matter, including the deadline to oppose Plaintiff's Cross-Motion for Summary Judgment, jury selection, and trial, pending resolution of Gemalto's forthcoming written objections to the findings, conclusions, and recommendations contained in the February 25, 2013 Report and Recommendations of United States Magistrate Judge (Dkt. 433) (the "Objections"). Plaintiff does not oppose this request, and an agreed order is attached for the Court's convenience. To the extent the Objections are

sustained, the parties agree to promptly meet and confer to negotiate new docket control deadlines, as may be appropriate.

Dated: February 28, 2013

Respectfully submitted,

By: /s/ David A. Perlson

Michael E. Jones

State Bar No. 10929400

mikejones@potterminton.com

Allen F. Gardner

State Bar No. 24043679

allengardner@potterminton.com

POTTER MINTON, P.C.

A Professional Corporation

110 N. College Ave., Suite 500

Tyler, Texas 75702

Tel: (903) 597-8311

Fax: (903) 593-0846

David A. Perlson

davidperlson@quinnemanuel.com

Quinn Emanuel Urquhart & Sullivan LLP

50 California Street, 22<sup>nd</sup> Floor

San Francisco, CA 94111

Tel: (415) 875-6600

Fax: (415) 875-6700

**ATTORNEYS FOR DEFENDANTS  
GOOGLE INC., HTC CORPORATION,  
HTC AMERICA, INC., EXEDEA, INC.,  
MOTOROLA MOBILITY LLC,  
SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG TELECOMMUNICATIONS  
AMERICA LLC**

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic services on this the 28th day of February, 2013. Local Rule CV-5(a)(3)(A).

/s/ Andrea Pallios Roberts

### **CERTIFICATE OF CONFERENCE**

I hereby certify that on February 28, 2013 counsel for the parties conferred and agreed to this motion and thereby complied with the meet and confer requirement in Local Rule CV-7(h). The parties agree to this motion.

/s/ Andrea Pallios Roberts